

1873-015 Chancery Causes: James B. Richmond vs. Lindsey C. Roop &
Lee Co.

Miller

CA - Debt
T - Property

To The Honorable Henry J. Morgan Judge of the
County court of Lee County
Your orator James B. Richmond, humbly com-
plaining sheweth unto your honor, that one
William P. Miller, was on the 21st February 1871
indebted to your orator in the sum of one
hundred and fifty dollars, for which sum
he gave your orator an order on one
Lindsey Roof of this County, which order
bears date the day and year aforesaid, and
was by the said ^{Roof} by the name of L. C. Roof
accepted, & so indorsed on ~~the~~ writing on
the back of said order and signed by the
proper signature of the said Roof on the
day of the date of said order, ^{which said order is here with filed marked X} the said
Roof thus became responsible to your
orator for the said sum of \$150. Your orator
claims it proper here to state that the said
Roofs indebtedness ~~arose~~, to the said
Miller, upon which he accepted the order
arose in the following manner. The said
Miller, owned a valuable tract of land situated
in said county, on the waters of Powells River
adjoining the Poor House farms of said County
and the lands of James Cheek and others, formerly
known as the Joseph Miller tract some 3 miles
East of Jonesville, this tract of land was
sold by the said Miller to one Josiah Wynn
and Charles Roof, who afterward, sold the

the said lands to the defendant Roof and by an arrangement among themselves the said Linsey Roof was to pay the said Miller for the said Lands, thus sold by him and upon which he reserved by not conveying the same and still holds a lien thereon for the residue of the purchase money; now the said Miller having a lien as vendor against said land, and transferring, one hundred and fifty dollars thereof to your orator your orator is advised that he stands in the said Miller's shoes to the extent of his claim, and that a court of equity will substitute him for the said Miller to the extent of his claim & enforce the said Miller's vendors lien thereon. The object of this bill therefore is, to ~~open~~ a final hearing to obtain a decree against the said Roof for the amount, of his order aforesaid; to be substituted, to the said Miller to the extent of his claim and subject the said lands to the payment thereof; and to enjoin the said Miller from conveying the same until your orator's claim be fully paid - and to leave the said Miller to file with this suit an escrow deed to said land to be delivered to the said Roof whenever the purchase money is paid - His prayer therefore is that the said Linsey C. Roof and William P.

Miller be made parties defendant to this bill, and answer its allegations on oath that upon a final hearing a decree be entered against the said Linsey C. Roof for the amount of the order, filed as exhibit X, and that your orator be substituted to the rights & liens of the said William P. Miller on the lands in this bill mentioned and that so much thereof as may be necessary to pay your orator's claim and the costs of this suit & that the said William P. Miller be restrained from conveying by deed the legal title to said lands till your orator's claim be fully paid; that he ^{be} compelled to file an escrow deed, among the papers of this cause, to be delivered when the said lands shall be fully paid for and for all other further and general relief May your honors deem &c -

D. Hagan & Pickens

.20
 .25
 .18
 .15
 .18
 .10
 .50
 .20
 .36
 \$1.96
 1.00

B 1.96
 A 15.00
 S 1.00
 Y 1.00
 \$15.96
 3.75

22.71

5.00

17.71

Recd of Hm & Orr \$15.00 as per
 in this case & also \$1.00 the amt
 Exp January 17th 1873.
 Huger & Biddleman
 By P. K.

Recd of Hm & Orr \$3.38 my fee as
 clerk in this case Jan 17th 1873.
 James H. Crockett

Recd of Hm & Orr \$19.88 the
 fee due me in this case
 Jan 17th 1873. L. S. Crockett

B 3.38
 A 15.00
 S .50
 Y 1.00
 \$19.88

121.4 P
 James B. Richmond
 vs Bill Chy
 Lindsey C. Crockett et al

Exhibit & filed

1871. Sept Bill filed, Spe Execd.
 on Deft Miller & Deere nisi
 " Oct Deere nisi confirmed
 " " continued
 " Nov continued
 " Dec continued
 1872 Jan & Feb continued
 " March & April "
 " May & June "
 " July, Aug & Sept "
 " Oct, Nov & Dec "
 1873 January Dismissed at Deft
 Request.

Mr Lindsey Roof

Please pay to

James B Richmond One hundred
and Fifty dollars and

oblige Yours &c

Feb 21/71

Wm DeWitt

Received of

L. C. Roof on the above



one hundred and
fifty dollars - this 23^d August 1871 -

Hague & Preliminary
acts for P. L. C.

150
2 1/2
300
75
375

X

I accept the
Within Order.
July 21/41 J. L. C. Roop

X

The Commonwealth of Virginia,

WE COMMAND YOU TO SUMMON

TO THE SHERIFF OF LEE COUNTY—GREETING:

Lindsey L Roof + William P Miller

to appear before the Judge of our County Court, for Lee County, at the Court-House, in the Clerk's Office, at Rules to be holden for said Court, on the first Monday in *September* next to answer abill in Chancery, exhibited in our said Court, against *them* by *James B Richmond*

And have then there this writ. Witness, *James* ~~JOHN~~ W. ORR, Clerk of our said Court, at the Court-House, this *31st* day of *July* 1871, in the *96th* year of the Commonwealth.

James W Orr Clerk.

James B Richmond
 vs 3 Opa in Lhy
 Lindsey & Roof et al

September Rules 1871.

Executed by do. Givers,
 to Mrs. P. Miller
 & others, officers,
 at the expense of
 roof the station
 det being, Paid as
 5 months from by
 Miller
 C. H. H. H. H. H.
 S. S. C.

(Tax paid)

The Commonwealth of Virginia,

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Court-House, this *31st*-day of
Commonwealth.

Witness, *James* JOHN W. ORR, Clerk of our said Court, at the
July 1871, in the *96th* year of the

James W Orr Clerk.
A copy
Teste James W Orr, Clerk.

for Jerry Rapp